NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

PREAMBLE

1.	**Sections Affected**	**Rulemaking Action**
	R4-30-103	Amend
	R4-30-305	Amend

2. Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. §§ 32-106(A)(1) and (9), and 32-106(F)

Implementing statutes: A.R.S. § 32-122.01, § 32-122.03, § 32-122.04, § 32-123, § 12-990, § 12-1000.

3. The effective date of the rule:

a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):

Not applicable.

b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable.

4. Citations to all related notices published in the *Register* to include the *Register* as specified in R1-409(A) that pertain to the record of the final rulemaking package:

Notice of Rulemaking Docket Opening: 17 A.A.R. 4, January 7, 2011

Notice of Proposed Rulemaking: 17 A.A.R. 4, January 13, 2012

Notice of Supplemental Rulemaking: 18 A.A.R. 1120, May 18, 2012

5. The agency's contact person who can answer questions about the rulemaking:

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6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

The State Board of Technical Registration (Board) is charged with protecting the health, safety, and welfare of the public. Toward this end, the Board examines, and issues registrations and certificates to architects, assayers, clandestine drug lab remediation firms and their employees, certified remediation specialists, engineers, geologists, home inspectors, landscape architects, and land surveyors. Pursuant to A.R.S. § 32-106(A)(1), the Board has authority to adopt rules for the "performance of duties imposed upon it by law." The subject rulemaking is submitted pursuant to that authority.

This rulemaking proposes to amend tw of the Board's rules. A.A.C. R4-30-305, Drug Laboratory Site Remediation Best Standards and Practices, requires the most significant modification, in order to incorporate new techniques to ensure that seized, illegal drug labs are cleaned thoroughly, and according to improved industry standards.

The Governor's Office has reviewed and granted the Board's request for an exemption to the Rules Moratorium, in place since 2009, in order to allow the Board to amend these rules to better protect the public's health, safety and welfare.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

This rulemaking references an article entitled, "Support for Selection of a Cleanup Level for Methamphetamine at Clandestine Drug Laboratories," by the Colorado Department of Public Health, published in February 2005. The public may obtain or review the study, all underlying data and any analysis of the study at: http://www.cdphe.state.co.us/hm/methlabcleanuplvlsupport.pdf. The Board reviewed this study but did not rely upon it when determining to raise the remediation clearance level of methamphetamine from 0.1 to 1.5 in R4-30-305.

This rulemaking references an article entitled, "Development of a Reference Dose (RfD) for Methamphetamine" and "Assessment of Children's Exposure to Surface Methamphetamine Residues in Former Clandestine Methamphetamine Labs, and Identification of a Risk Based Cleanup Standard for Surface Methamphetamine Contamination," published by the Office of Environmental Health Hazard Assessment (OEHHA), Integrated Risk Assessment Branch,

California Environmental Protection Agency, State of California, in February 2009. The Board relied upon these articles and the studies cited in them when it determined to raise the remediation clearance level of methamphetamine from 0.1 to 1.5 in R4-30-305. The public may obtain or review the studies, all underlying data and any analysis at: http://www.calepa.ca.gov.

8. A showing of good cause why the rule is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. A summary of the economic, small business, and consumer impact:

The Board expects that updating the rules will benefit all parties involved in its regulatory processes. The proposed rulemaking would clarify requirements for architect applicants seeking professional registration as well as those registrants working to clean up illegal drug labs.

The proposed rule changes will not impose significant additional costs for small business. Updating the techniques used to clean illegal drug labs is not expected to impose significant costs on certificate holders or their employees.

The proposed rulemaking would tighten language relating to enforcement and clarify compliance requirements, which the Board expects to affect registrants and small businesses positively.

The proposed rulemaking is not expected to have a significant negative impact on the following sectors of the economy: 1) the competitiveness of professionals in Arizona compared to their counterparts from other states; 2) the prices of goods and services in the state; 3) state revenues. The additional administrative costs to state agencies, such as to the Board, the

Secretary of State's Office, and the Governor's Regulatory Review Council, are not expected to be significant.

10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:

At its regularly scheduled meeting held on February 28, 2012, the Board reviewed three comments: 1.) to add the phrase "retain a drug laboratory site remediation firm to" into proposed amended rule R4-30-305(A)(7); 2.) to add the phrase "and demolition" to R4-30-305(D)(2)(c); and 3.) to keep the remediation clearance levels of methamphetamine at 0.1, rather than raise them to 1.5, as is proposed in R4-30-305(C)(2). The Board approved adding the phrases proposed above into R4-30-305(A)(7) and into R4-30-305(D)(2)(c). The Board voted to leave the proposed change in the remediation clearance levels of methamphetamine at 1.5, as proposed in the Notice of Proposed Rulemaking, denying the commenter's request to keep the clearance level of methamphetamine at 0.1.

The Board also made clerical changes to the Notice of Final Rulemaking proposed by the Office of the Secretary of State. These changes also include the addition of the location and publication date of materials incorporated by reference in the proposed rules.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:

The Chairman of the Board's Environmental Remediation Rules, Chet Pearson, PE., proposed adding the two phrases into R4-30-305(A)(7) and (D)(2)(c) as described above for clarification. The Board approved those additions to the rule.

Jeff Kary, President of Kary Environmental Services, Inc., and a member of the Board's Environmental Remediation Rules and Standards Committee, appeared before the Board on

February 28, 2012, and spoke against raising the remediation clearance level of methamphetamine from the current level of 0.1 to 1.5, as proposed in the Notice of Proposed Rulemaking. He explained that raising the level as proposed would seriously compromise remediation efforts, leaving sites with trace levels of methamphetamine. He cited a study from Colorado advocating keeping clearance levels at a stricter 0.1 to ensure effective, thorough remediations.

The Board considered testimony from Chet Pearson, PE., on behalf of the Committee which reviewed the Colorado study and a contradictory study on the issue published in California. The Committee recommended to the Board that the methamphetamine clearance level be raised from 0.1 to 1.5 to make the remediations more economical. The Board adopted the Committee recommendation and voted to affirm the proposed change from 0.1 to 1.5 at its meeting on February 28, 2012.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used: A.A.C. R4-30-305 does not require a permit because A.A.C. R4-30-270 requires remediation firms, workers and supervisors to be licensed by the Registrar of Contractors to perform activities required for remediations. None of the Board's other proposed rule changes require permitting.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed

the requirements of federal law: Federal law relating to remediating hazardous waste is applicable to the subject of the proposed rules changes, but this proposed rulemaking is not more stringent.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states: No one submitted analyses to the Board that compare the proposed rules' impact on business in this state or other states.

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:

As contained in proposed rule **R4-30-103**:

- **(A)(2)**: Asbestos Hazard Emergency Response Act of 1986, 40 CFR 763.92, effective November 15, 2000. 65 FR 69216.
- **(A)(16)**: EPA Method 8015B.
- **(A)(17)**: EPA Method 6010B.
- **(A)(18)**: EPA Method 8260B.
- **(A)(26)**: "Hazardous Waste" as defined in 40 CFR 261.3, effective December 3, 2001. 66 FR 60153.
- **(A)(27)**: "Hazardous Waste Operations Training" as defined in 29 CFR 1910.120(e), effective November 7, 2002. 67 FR 67964.

14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the *Register* as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages: A.A.C. R4-30-305 was originally promulgated as an emergency rule.

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 30. BOARD OF TECHNICAL REGISTRATION

ARTICLE 1. GENERAL PROVISIONS

R4-30-103. Drug Laboratory Site Remediation Definitions

ARTICLE 3. REGULATORY PROVISIONS

R4-30-305. Drug Laboratory Site Remediation Best Standards and Practices

ARTICLE 1. GENERAL PROVISIONS

R4-30-103. Drug Laboratory Site Remediation Definitions

In addition to the definitions provided in A.R.S. §§ 12-990, 32-101, and R4-30-101, the following definitions shall apply only to drug laboratory site remediation requirements in this Chapter:

1. "ADHS" means the Arizona Department of Health Services.
2. "AHERA" means the Asbestos Hazard Emergency Response Act of 1986 training provisions contained in 40 CFR 763.92, effective November 15, 2000, 65 FR 69216, the provisions of which are incorporated by reference ~~and on file with the Secretary of State~~. This rule does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration and from the U.S. Government Printing Office, P.O. Box 979050, St. Louis, MO 6397-9000, and on the federal digital system at www.gpo.gov/fdsys.
3. "AWQS" means the Arizona Aquifer Water Quality Standards contained in 18 A.A.C. 11, Article 4, ~~effective~~ published December 31, 2002, the provisions of which are incorporated by reference. ~~and on file with the Secretary of State.~~ This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.
4. "Background concentration" means the level of naturally occurring contaminant in soil.
5. "Certificate" or "certificates" means registrations or certifications issued to ~~on-site~~ onsite workers or ~~on-site/remediation~~ onsite supervisors by the Board.
6. "Certified Industrial Hygienist" means a person certified in the comprehensive practice of industrial hygiene by the American Board of Industrial Hygiene.

7. "Certified Safety Professional" means a person certified in safety practices and procedures by the Board of Certified Safety Professionals.

8. "Chain-of-custody protocol" means a procedure used to document each person that has had custody or control of an environmental sample from its source to the analytical laboratory, and the time of possession of each person.

9. "Characterize" means to determine the quality or properties of a material by sampling and testing to determine the concentration of contaminants, or specific properties of the material such as flammability or corrosiveness.

10. "Combustible" means vapor concentration from a liquid that has a flash point greater than 100° F.

11. “Confirmation sampling of remedial projects” means collecting ~~materials~~ material samples after a remedial effort to confirm that the remedial effort reduced contaminant concentrations or material properties to a level below the remedial standard.

12. "Contamination" or "contaminated" means the state of being impacted or polluted by hazardous or petroleum substances or chemicals.

13. "Corrosive" means a material such as acetic acid, acetic anhydride, acetyl chloride, ammonia (anhydrous), ammonium hydroxide, benzyl chloride, dimethylsulfate, formaldehyde, formic acid, hydrogen chloride/hydrochloric acid, hydrobromic acid, hydriodic acid, hydroxylamine, methylamine, methylene chloride (dichloromethane, methylene dichloride), methyl methacrylate, nitroethane, oxalylchloride, perchloric acid, phenylmagnesium bromide, phosphine, phosphorus oxychloride, phosphorus pentoxide, sodium amide (sodamide), sodium metal, sodium hydroxide, sulfur trioxide,

sulfuric acid, tetrahydrofuran, or thionyl chloride that increases or decreases the pH of a material and may cause degradation of the material.

14. "Delineated" means to determine the extent of a contaminant by sampling, testing, and showing the size and shape of the contaminant plume on a drawing.

15. "EPA" means the United States Environmental Protection Agency.

16. "EPA Method 8015B" means the EPA approved method for determining the concentration of various non-halogenated volatile organic compounds and semi-volatile organic compounds by gas chromatography/flame ionization detector. The EPA first published second revision to the report, SW-846, citing this Method in Ch. 4.3.1, in the South West Region, in December 1996. It is incorporated by reference. The material incorporated by reference does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.

17. "EPA Method 6010B" means the EPA approved method for determining the concentration of various heavy metals by inductively coupled plasma. The EPA first published the report, SW-846, citing this Method in Ch. 3.3, in the South West Region, in December 1996. It is incorporated by reference. The material incorporated by reference does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.

18. "EPA Method 8260B" means the EPA approved method for determining the concentration of various volatile organic compounds by GC/MS. The EPA first published the report, SW-846, citing this Method in Ch. 4.3.2, in the South West Region, in December 1996. It is incorporated by reference. The material incorporated

by reference does not include any later amendments or editions of the incorporated matter. Copies of these provisions are available at the office of the Board of Technical Registration.

19. "Exposed" means open to the atmosphere and not covered by a non-porous material.

20. "Final Report" means the report required in ~~R4-30-305(R)~~ R4-30-305(D).

21. "FID" means flame ionization detector.

22. "Flammable" means vapor concentration from a liquid that has a flash point less than 100° F.

23. "GC/MS" means gas chromatograph/mass spectrometer.

24. "Hazardous chemical decontamination projects" means work or services related to the remediation, removal, or clean-up of hazardous chemicals, hazardous substances, petroleum substances, or other hazardous materials.

25. "Hazardous substance" means red phosphorous, iodine crystals, tincture of iodine, methamphetamine, ephedrine, pseudoephedrine, volatile organic compounds, corrosives, LSD, ecstasy, lead, mercury, and any other chemical used at a clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.

26. "Hazardous waste" means toxic materials to be discarded as defined in 40 CFR 261.3, and 66 FR 60153, effective December 3, 2001, and published by the U.S. Government Printing Office, P.O. Box 979050, St. Louis, MO 63197-9000 and available electronically through the federal digital system at www.gpo.gov/fdsys/. The text of this regulation is ~~the provisions of which are~~ incorporated by reference ~~and on file with the Secretary of State~~. This rule does not include any later amendments or editions of

the incorporated matter. Copies of these provisions are available in the office of the Board of Technical Registration.

27. "HAZWOPER," Hazardous Waste Operations and Emergency Response Training means Hazardous Waste Operations Training as defined in 29 CFR 1910.120(e), and 67 FR 67964, effective November 7, 2002, and published by the U.S. Government Printing Office, P.O. Box 979050, St. Louis, MO 63197-9000, and available electronically through the federal digital system at www.gpo.gov/fdsys/. The text of this regulation is ~~67 FR 67964the provisions of which are~~ incorporated by reference ~~and on file with the Secretary of State~~. This rule does not include any later amendments or editions of the incorporated matter. Copies of these standards are available at the office of the Board of Technical Registration.

28. "HEPA" means high-efficiency particulate air.

29. "Highly suggestive of contamination" means visible or olfactory indication of contamination, or locations that are within 10 feet of areas where hazardous substances were stored or used to manufacture methamphetamine, LSD, or ecstasy and could likely be contaminated with hazardous substances, unless separated by a full-height, non-porous wall with no openings.

30. "Impacted groundwater" means water present beneath ground surface that contains hazardous or petroleum substances at concentrations above background concentrations.

31. "Impacted soil" means soil that contains hazardous or petroleum substances at concentrations above background concentrations.

32. "Inaccessible" means unable to be reached without removal of a construction material or component.

33. "LEL/O2" means lower explosive limit/oxygen.

34. “Laboratory detection limit” means the lowest concentration of a hazardous or petroleum substance that can be reliably quantified or measured by an analytical laboratory under ideal operating conditions for a particular test method on a sample.

35. "Negative pressure enclosure" means an air-tight enclosure using a local exhaust and HEPA filtration system to maintain a lower air pressure in the work area than in any adjacent area and to generate a constant flow of air from the adjacent areas into the work area.

36. "Non-porous" means resistant to penetration of hazardous substances or non-permeable substance or materials, such as concrete floors, wood floors, ceramic tile floors, vinyl tile floors, sheet vinyl floors, painted drywall or sheet rock walls or ceilings, doors, appliances, bathtubs, toilets, mirrors, windows, counter-tops, sinks, sealed wood, metal, glass, plastic, and pipes.

37. "Personal protective equipment" means various types of clothing such as suits, gloves, hats, and boots, or apparatus such as face masks or respirators designed to prevent inhalation, skin contact, or ingestion of hazardous chemicals.

38. "Personnel decontamination procedures" means procedures used to clean or remove potential contamination from personal protective equipment.

39. "PID" means photo ionization detector.

40. "Porous" means easily penetrated or permeated by hazardous substances or permeable substances or materials such as carpets, draperies, bedding, mattresses, fabric covered furniture, pillows, drop ceiling or other fiber-board ceiling panels, cork paneling, blankets, towels, clothing, and cardboard.

41. "Properly disposed of" means to discard at a licensed facility in accordance with all applicable laws and not reused or sold, or metal recycled by giving or selling to a licensed recycling facility for scrap metal.

42. “Remedial standard” or “remediation standard” means the level or concentration to be achieved by the drug laboratory site remediation firm as defined in R4-30-305(C)(2) ~~or~~ and (C)~~(3)~~(4).

43. "Remediated" or "remediation" means treatment of the residually contaminated portion of the real property by a drug laboratory site remediation firm to reduce contaminant concentrations at a level below the remedial standards.

44. "Residual contamination" means contamination resulting from spills or releases of hazardous or petroleum substances.

45. "Return air housing" means the main portion of an air ventilation system where air from the livable space returns to the air handling unit for heating or cooling.

46. "Reusable" means not disposable or equipment that can be used more than one time for sampling after cleaning.

47. "Sample location" means the actual place where an environmental sample was obtained.

48. "Shoring plan" means a written description or drawing that shows the structural supports required to safely occupy the building during remediation.

49. "Seepage pit" means a hole in the ground used to dispose of septic fluids.

50. "Services" means the activities performed by the drug laboratory site remediation firm in the course of remediating residual contamination from the manufacturing of methamphetamine, ecstasy, or LSD, or from the storage of chemicals used in manufacturing methamphetamine, ecstasy, or LSD.

51. "SRL" means the Arizona residential soil remediation levels contained in A.A.C. ~~R18-7-201~~, R18-7-201 and Appendices A and B, effective ~~September 30, 2002~~, May 5, 2007, the provisions of which are incorporated by reference ~~and on file with the Secretary of State~~. This rule does not include any later amendments or editions of the incorporated matter. Copies of this rule are available at the office of the Board of Technical Registration.

52. "Temporary filter media" means a device used to filter or clean air.

53. "Toxic" means hazardous substances that can cause local or systemic detrimental effects to people.

54. "VOA" means volatile organic analyte.

55. "VOCs" means volatile organic compounds or chemicals that can evaporate at ambient temperatures such as acetone, acetonitrile, aniline, benzene, benzaldehyde, benzyl chloride, carbon tetrachloride, chloroform, cyclohexanone, dioxane, ethanol, ethyl acetate, ethyl ether, Freon 11, hexane, isopropanol, methanol, methyl alcohol, methylene chloride, naphtha, nitroethane, petroleum ether, petroleum distillates, pyridine, toluene, o-toluidine, and any other volatile organic chemical used at the clandestine drug laboratory site to manufacture methamphetamine, LSD, or ecstasy.

56. "Waste" means refuse, garbage, or other discarded material.

ARTICLE 3. REGULATORY PROVISIONS

R4-30-305. Drug Laboratory Site Remediation Best Standards and Practices

A. Preliminary procedures.

1. The onsite supervisor shall determine the nature and extent of damage and contamination of the residually contaminated portion of the real property ~~shall be determined~~.

2. The ~~on-site~~ onsite supervisor shall request a copy of any document ~~copies of~~ from a ~~any~~ law enforcement agency, state agency, or other ~~report~~ reporting agency regarding the nature and extent of illegal drug activity, evidence of what materials were removed from the real property, ~~and~~ the location from which they were removed~~.~~, and the area posted by the notice of removal.
3. The ~~on-site~~ onsite supervisor shall:
    a. Evaluate all information obtained regarding the nature and extent of damage and contamination~~;~~,
    b. Develop procedures to safely enter the residually contaminated portion of the real property in order to conduct a visual assessment~~;~~,
    c. Wear the appropriate personal protective equipment for ~~the~~ all ~~condition(s)~~ conditions assessed~~;~~,
    d. Visually inspect the residually contaminated portion of the real property~~;~~ ,and
    e. Be assisted by at least one ~~on-site~~ onsite worker during the initial entry into the residually contaminated portion of the real property.
4. The ~~on-site~~ onsite supervisor shall conduct and document ~~appropriate~~ required testing for corrosive, flammable, combustible, and toxic atmospheres during the initial entry in the residually contaminated portion of the real property, such as using a LEL/O2 meter, pH paper, PID, FID, or equivalent equipment.
5. If the notice of removal posting is no longer present at the time of the initial entry by the drug laboratory site remediation firm, then the entire house, mobile home, recreational vehicle, detached garage or shed, hotel room, motel room or apartment unit shall be considered the residually contaminated portion of the real property.

~~5.~~ 6. If there was a fire or explosion in the residually contaminated portion of the real property ~~which~~ that appears to have compromised ~~it's~~ the ~~structural~~ integrity of the structure, the drug laboratory site remediation firm shall obtain a structural assessment of the residually contaminated portion of the real property.

7. The owner may retain a drug laboratory site remediation firm to demolish, and dispose of the residually contaminated portion of the real property rather than perform the remediation described in subsection (B).

~~6.~~ 8. The drug laboratory site remediation firm shall prepare a written work plan that contains:

a. Complete identifying information of the real property, ~~such as~~ including but not limited to:

i. ~~street~~ Street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home or recreational vehicle;

ii. ~~registration~~ Registration number of the drug laboratory site remediation firm, name and certification number of the ~~on-site~~ onsite supervisor and ~~on-site~~ onsite workers that will be performing remediation services on the residually contaminated portion of the real property;

b. Copies of the current certification of the ~~on-site~~ onsite supervisor and ~~on-site~~ onsite workers that will be performing remediation services on the residually contaminated portion of the real property;

c. Photographs or drawings, and a written description of the residually contaminated portion of the real property that depicts the location and type of any residual contamination;

d. A description of the personal protective equipment to be used at the residually contaminated portion of the real property;

e. The health and safety procedures that will be followed in performing the remediation of the residually contaminated portion of the real property;

f. A list of emergency contacts and telephone numbers;

g. The route and location of the nearest hospital with emergency service facilities;

h. A detailed summary of the work to be performed by the drug laboratory site remediation firm including:

i. Any pre-remediation sampling and testing of non-porous or porous materials;

ii. Any demolition work;

~~i.~~ iii. Any and all materials or articles to be removed or cleaned;

~~ii.~~ iv. All procedures to be employed to remove the residual contamination;

~~iii. All processes used to cover or encapsulate contaminants;~~

v. All procedures to be employed to evaluate plumbing, septic, sewer, and soil;

~~iv~~. vi. All procedures for decontamination or disposal of contaminated materials or demolition debris;

~~v~~. vii. All containment and negative pressure enclosure plans; and

~~vi~~. viii. Personnel decontamination procedures to be used;

i. The shoring plan, if an assessment of the structural integrity was conducted and it was determined that shoring was necessary for the safe occupation of the structure during remediation; and

j. A complete list of the proposed post-decontamination testing of the residually contaminated portion of the real property and the ~~name(s)~~ name of ~~the individual(s)~~ each individual conducting the sampling, such as an independent Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer supervising the sampling, and ~~the laboratory(ies)~~ each laboratory performing the analytical testing.

~~7.~~ 9. The written work plan shall be:

a. Approved in writing by the owner of the real property or the owner's agent;

b. Submitted to the ~~county health department of the county in which the property is located~~ State Board of Technical Registration; and

c. Retained by the drug laboratory site remediation firm for a minimum of three years.

B. Remediation procedures for the residually contaminated portion of the real property.

1. All clandestine drug laboratory site remediation firms, ~~on-site~~ onsite supervisors, and ~~on-site~~ onsite workers shall comply with all applicable federal, state, municipal, and local laws, rules, ordinances, and regulations during the remediation or demolition of the residually contaminated portion of the real property.

2. An ~~on-site~~ onsite supervisor shall be present on the residually contaminated portion of the real property during the performance of remedial or demolition services including any pre-remediation and post-remediation sampling and testing.

3. The ventilation system shall be turned off at the start of the remediation work and remain off until completion of the remediation work.

4. The remediation or demolition work shall be conducted in a manner so that no other areas or items are contaminated as a result of the work. An onsite worker shall not store new or cleaned items in any areas requiring remediation.

5. If the dwelling on the real property is connected to a septic system, then wash water from the remediation work shall not be disposed of in the septic system.

6. If the dwelling has an attic or crawl space, the onsite supervisor shall assess the attic or crawl space. If the attic or crawl space was not used for the manufacturing of drugs, the storage of drugs or chemicals, or the ventilation of manufacturing areas, and these areas will not be occupied, then the attic or crawl space does not require remediation.

7. The residually contaminated portion of the real property shall be assessed for asbestos-containing materials prior to demolition. Any Freon-containing appliances, propane tanks, tires, or other hazardous materials shall be removed from the residually contaminated portion of the real property prior to any demolition activities. The preliminary procedures described in subsection (A) shall be followed prior to demolition

activities to verify the removal of all chemicals from the residually contaminated portion of the real property and to assist with characterization of the demolition wastes. The procedures for evaluating plumbing, septic, sewer, and soil described in subsection (B)(14) shall be followed prior to demolition activities. Mobile homes, travel trailers, or other recreational vehicles may be transported to the landfill prior to demolition. The demolition work shall be conducted in a manner to prevent visible dust emissions from the work area that may impact persons on adjacent property. The demolition debris shall be properly characterized prior to disposal as required in subsection (B)(15). After demolition, any remaining building components shall be remediated as described in subsection (B).

~~3.~~ 8. ~~On-site~~ Onsite workers or on-site supervisors shall conduct the removal of the contamination from the residually contaminated portion of the real property, except for porous materials from areas not highly suggestive of contamination that may be cleaned by a dry cleaning or laundry service.

9. If pre-remediation sampling and testing are performed, non-porous materials and areas shall be sampled and tested using the personnel and procedures described in subsection (C) prior to any remediation services. If the non-porous materials or areas meet the post-remediation clearance levels described in subsections (C)(2) and (4), then no removal or cleaning of these non-porous materials or areas is required. If pre-remediation sampling and testing are performed, porous materials and areas shall be sampled and tested using the personnel and procedures described in subsection (C) prior to any remediation services. If the porous materials or areas meet the post-remediation clearance levels described in subsections (C)(2) and (4), then no removal or cleaning of these porous materials or areas is required. If pre-remediation sampling and testing are performed to

evaluate whether remediation is required, the pre-remediation sampling and testing shall include an evaluation of plumbing, septic, sewer, and soil described in subsection (B)(14).

~~4.~~10. Procedures for areas highly suggestive of contamination:

a. All porous materials, such as carpets, draperies, bedding, fabric covered furniture, drop ceilings, clothing, and related items~~,~~ that were present in the area highly suggestive of contamination at the time of the initial notice of removal (A.R.S. § 12-1000) shall be removed and properly disposed of. All items to be removed and disposed of shall be destroyed to prevent future reuse of the items.

b. All porous materials such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items, that were moved into the area highly suggestive of contamination after the time of the initial notice of removal (A.R.S. § 12-1000) shall be removed and properly disposed of, except porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:

i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous material by a wet vacuum.

ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.

iii. Detergent and water solution: Porous materials shall be washed with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.

iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.

~~b.~~ c. All stained materials from the laboratory operations including wall board (sheet rock), wood furniture, wood flooring, and tile flooring shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~(4) ~~of this rule~~. If cleaned, the materials shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

~~c.~~ d. All non-porous surfaces, such as bathtubs, toilets, mirrors, windows, ~~tile flooring~~ floors, walls, ceilings, doors, appliances, counter-tops, ~~and~~ sinks, and non-fabric furniture may be cleaned to the point of stain removal and left in place or removed and properly disposed of. If cleaned, these surfaces shall be washed with a detergent and water solution and then thoroughly rinsed. This procedure shall be repeated at least two additional times using new detergent solution and rinse water.

~~d.~~ e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed, or may be removed and properly

disposed of. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water; and

~~e.~~ f. All appliances shall be removed and properly disposed of, unless the owner requests cleaning and testing to meet the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~ (4) ~~of this rule~~. If cleaned, the appliances shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

~~5.~~ 11. Procedures for areas not highly suggestive of contamination.

a. All porous materials, such as carpets, draperies, bedding, fabric covered furniture, clothing, and related items shall be removed and properly disposed of, except ~~for~~ porous drop ceilings, which shall be HEPA vacuumed and left in place. At the owner's discretion, all or some porous materials with no evidence of staining may be cleaned by HEPA vacuuming and one of the following methods:

i. Steam cleaning: Hot water and detergent shall be injected into the porous materials under pressure to agitate and loosen any contamination. The water and detergent solution shall then be extracted from the porous material by a wet vacuum.

ii. Chemical dry cleaning: Porous materials that cannot be washed with detergent and water shall be dry cleaned using a liquid solvent dry cleaning solution in a dry cleaning machine for at least 15 minutes.

iii. Detergent and water solution: Porous materials shall be washed with detergent and water for at least 15 minutes. The porous materials shall be rinsed with water.

iv. If any porous materials are removed from the real property for cleaning, the materials shall be HEPA vacuumed, and the cleaning facility shall be notified in writing, by the drug laboratory site remediation firm, that the materials being cleaned are from a clandestine drug laboratory.

b. All non-porous surfaces, such as bathtubs, toilets, floors, countertops, sinks, walls, ceilings, mirrors, windows, doors, appliances, and non-fabric furniture, shall be thoroughly HEPA vacuumed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using a new detergent solution and rinse water.

c. Doors or other openings to areas with no visible contamination shall be cordoned off from all other areas with at least 4-mil plastic sheeting after being cleaned, to avoid ~~re-contamination~~ recontamination during further remediation of the residually contaminated portion of the real property.

d. Spray-on acoustical ceilings shall be left undisturbed, and shall be sampled and tested for asbestos, and for residual contamination to determine whether ceilings meet the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~(4) of this rule. If the post-remediation clearance levels are exceeded, these materials shall be ~~properly~~ removed and disposed of according to applicable laws relating to asbestos removal ~~and properly disposed of~~.

e. All exposed concrete surfaces shall be thoroughly washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

~~6.~~ 12. Structural Integrity and Security Procedures. If, as a result of the remediation, the structural integrity or security of the real property is compromised, the drug laboratory site remediation firm shall contact a qualified, registered professional to conduct a structural assessment and recommend corrective action for ~~take measures to remedy the structural integrity or security of~~ the real property.

~~7.~~ 13. Ventilation Cleaning Procedures.

a. The ventilation system shall be turned off at the start of the remediation work and remain off until completion of the remediation work.

~~a.~~ b. Air registers shall be removed and washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be repeated at least two additional times using new detergent solution and rinse water.

~~b.~~ c. Temporary filter media shall be attached to air register openings.

~~c.~~ d. A fan-powered HEPA filter collection machine shall be connected to the ductwork to develop negative air pressure in the ductwork.

~~d.~~ e. Air lances, mechanical agitators, or rotary brushes shall be inserted into the ducts through the air register openings to loosen all dirt, dust and other loose materials.

~~e.~~ f. The air handler unit, including the return air housing, coils, ~~fan(s)~~, each fan, ~~system(s)~~ each system, and each drip pan, shall be washed with a detergent and water solution and then thoroughly rinsed. This cleaning procedure shall be

repeated at least two additional times using new detergent solution and rinse water.

~~f.~~ g. All porous linings or filters in the ventilation system shall be removed and properly disposed of.

~~g.~~ h. The ventilation system shall be sealed off at all openings with at least 4-mil plastic sheeting to prevent recontamination until the residually contaminated portion of the real property meets the post-remediation clearance levels contained in subsections (C)(2) and (C)~~(3)~~(4) of this rule.

~~8.~~ 14. Procedures for Plumbing, Septic, Sewer, and Soil.

a. All plumbing inlets to the septic~~/~~ or sewer system, including but not limited to sinks, floor drains, ~~bath tubs~~ bathtubs, showers, and toilets, shall be visually assessed for any staining or other visible residual contamination. All plumbing traps shall be assessed for VOC concentrations with a PID or FID, and for mercury vapors, ~~by~~ using a mercury vapor analyzer. If VOC concentrations or mercury vapor concentrations exceed the post-remediation clearance levels contained in subsections (C)(2) and ~~(C)(3)~~(4) of this rule, the accessible plumbing and traps where the excess levels are found shall be removed and properly disposed of, or shall be cleaned and tested to meet the post-remediation clearance levels contained in R4-30-305(C)(2) and ~~(C)(3)~~(4).

b. The ~~on-site~~ onsite supervisor shall determine ~~if~~ whether the dwelling is connected to a local sewer system or to an ~~on-site~~ onsite septic system. If the dwelling is connected to an ~~on-site~~ onsite septic system, water from the remediation

work shall not be disposed of in the septic system, and a sample of the septic tank liquids shall be obtained and tested for VOC concentrations.

i. If VOCs are not found in the septic tank sample or are found at concentrations less than AWQS or less than 700 micrograms per liter (mg/l) for acetone, no additional work is required in the septic system area, unless requested by the owner of the real property.

ii. If VOCs are found in the septic tank at concentrations exceeding the AWQS or exceeding 700 mg/l for acetone, the following shall apply:

(1) The discharge area, such as the leach field, seepage pit, ~~and~~or evaporation mounds, shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer;

(2) The septic system discharge area shall be investigated for VOCs using EPA Mehod 8260B or an equivalent test method and, unless there is ~~clear~~ evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD or ecstasy at the clandestine drug laboratory, the septic system discharge area shall also be investigated for mercury and lead;

(3) The vertical extent of any VOCs, mercury, and lead detected in the soil samples shall be delineated to concentrations at or below laboratory detection limits or to background concentrations, and the horizontal extent of ~~the~~ any VOCs, mercury, and lead shall be delineated to concentrations at or below each compound's SRL;

(4) If any ~~of the~~ VOCs, mercury, ~~and~~ or lead used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater

contamination shall ~~also~~ be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer and the vertical and horizontal extent of the groundwater contamination shall be delineated to concentrations at or below the AWQS or below 700 mg/l for acetone; and

(5) After complete characterization of ~~the~~ a release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS or below 700 mg/l for acetone.

c. The ~~on-site~~ onsite supervisor shall observe the real property for evidence of burn areas, burn or trash pits, debris piles or stained areas. The on-site supervisor shall test any burn areas, burn or trash pits, debris piles or stained areas with ~~appropriate~~ applicable testing equipment, such as~~,~~ a LEL/O2 meter, pH paper, PID, FID, mercury vapor analyzer or equivalent equipment.

i. If the burn areas, burn or trash pits, debris piles, or stained areas are not part of the residually contaminated portion of the real property, the drug laboratory site remediation firm shall recommend to the owner of the real property that these areas be investigated. If the owner advises the drug laboratory site remediation firm not to investigate these areas, the drug laboratory site remediation firm shall take appropriate action pursuant to R4-30-301(11).

ii. If the burn areas, burn or trash pits, debris piles or stained areas are part of the residually contaminated portion of the real property, these areas shall be investigated and remediated by the drug laboratory site remediation firm.

(1) Any wastes remaining from the operation of the clandestine drug laboratory or other wastes impacted by compounds used by the clandestine drug laboratory shall be characterized, removed, and properly disposed of.

(2) Any potentially impacted soil ~~and/or~~ or groundwater shall be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer.

(3) The burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for the VOCs used by the drug laboratory. Unless there is ~~clear~~ evidence that mercury or lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, the burn areas, burn or trash pits, debris piles, or stained areas shall be investigated for lead and mercury.

(4) The vertical extent of any VOCs, lead, or mercury detected in the soil samples shall be delineated to concentrations below laboratory detection limits or to background concentrations. The horizontal extent of these compounds shall be delineated to concentrations below each compound's SRL.

(5) If any of the compounds used by the clandestine drug laboratory migrated down to groundwater level, the extent of groundwater contamination shall ~~also~~ be investigated under the direct supervision of an Arizona-registered geologist or an Arizona-registered engineer. The vertical and horizontal extent of the groundwater contamination shall be

delineated to concentrations below the AWQS and below 700 mg/l for acetone.

(6) After complete characterization of ~~the~~ a release, the impacted soils shall be remediated to concentrations below the SRL or background concentrations, and any impacted groundwater shall be remediated to concentrations below the AWQS and below 700 mg/l for acetone.

~~9.~~ 15. Waste Characterization and Disposal Procedures.

a. All items removed from the clandestine drug laboratory remediation site, and waste generated during the remediation or demolition work, shall be ~~properly~~ characterized and properly disposed of. All items to be removed and disposed of shall be destroyed to prevent future reuse of the items.

b. All suspect asbestos-containing building materials shall be properly sampled and tested for asbestos pursuant to E.P.A. rule prior to disturbance or removal.

c. All waste shall be ~~properly~~ characterized by sampling and testing, or the waste shall be considered hazardous waste and ~~properly~~ disposed of pursuant to ~~the~~ applicable law, except the waste shall not be deemed to be household hazardous waste.

d. The drug laboratory site remediation firm shall comply with all federal, state, municipal, county laws, codes, ordinances and regulations pertaining to waste transportation and disposal.

C. Pre-remediation and ~~Post-Remediation~~ Post-remediation Testing Procedures.

1. ~~Post-remediation~~ Remediation sampling shall be conducted under the direct supervision of ~~a~~ an independent Certified Industrial Hygienist, ~~a~~ Certified Safety Professional, Arizona-registered geologist or ~~an~~ Arizona-registered engineer. The individual taking the samples and the Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer directing the sampling shall have experience with ~~the~~ remediation of hazardous substances, ~~with~~ confirmation sampling of remedial projects, and ~~with evaluating~~ evaluation of health risks and exposures to chemicals. All sampling used to verify that no additional removal or cleaning is required shall be conducted under the direct supervision of a Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or ~~an~~ Arizona-registered engineer. The drug laboratory site remediation firm and its employees shall not conduct the sampling and testing. All sample locations shall be photographed for documentation purposes, and these photographs shall be included in the final report.

2. ~~The drug laboratory site remediation firm shall conduct sampling~~ Sampling and testing shall be conducted for all of the compounds listed below. All ~~remediated~~ areas and materials shall meet the following ~~post-~~remediation clearance levels:

Compound	**Remediation Standard**
Red Phosphorus	Removal of stained material or cleaned pursuant to these standards
Iodine Crystals	Removal of stained material or cleaned pursuant to these standards
Methamphetamine	~~0.1~~ 1.5 µg Methamphetamine/100 cm^2
~~Ephedrine~~	~~0.1 µg Ephedrine/100 cm^2~~

~~Pseudoephedrine~~	~~0.1 µg Pseudoephedrine/100 cm^2~~
VOCs in Air	VOC air monitoring < 1 ppm
Corrosives	Surface pH of 6 to 8
LSD	0.1 µg LSD/100 cm^2
Ecstasy	0.1 µg Ecstasy/100 cm^2

3. If methamphetamine, ecstasy, or LSD is detected in the pre-remediation sampling and testing of porous materials and surfaces, then the porous materials shall be disposed of or cleaned as described in subsection (B).

~~3.~~ 4. The drug laboratory site remediation firm shall conduct sampling and testing for all of the metals listed below in all cases except where there is ~~clear~~ evidence that these metals were not used in the manufacturing of methamphetamine, LSD, or ecstasy at the drug laboratory:

Compound Remediation Standard

Lead 4.3 µg Lead/100 cm^2

Mercury 3.0 µg Mercury/m^3 air

~~4.~~ 5. All sampling and testing shall be conducted in accordance with the following procedures:

a. All sample locations shall be photographed, and the photographs shall be included in the final report.

b. All sample locations shall also be shown on a floor plan of the residually contaminated portion of the real property, and the floor plan shall be included in the final report.

c. All samples shall be obtained from areas representative of the materials or surfaces being tested. All samples shall be obtained, preserved, and handled in

accordance with industry standards for the types of samples and analytical testing to be conducted and maintained under chain-of-custody protocol.

d. The individual conducting the sampling shall wear a new pair of gloves to obtain each sample.

e. All reusable sampling equipment shall be decontaminated prior to sampling.

f. All testing equipment shall be ~~properly~~ equipped and calibrated for the types of compounds to be analyzed.

g. Methamphetamine, ~~ephedrine, pseudoephedrine,~~ ecstasy, ~~and/or~~ or LSD sampling and testing of non-porous materials and surfaces:

i. Whatman 40 ashless filter paper or an equivalent filter paper shall be used for all wipe sampling. The filter paper shall be wetted with analytical grade methanol or deionized water for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area, and the three filter papers combined for analytical testing.

ii. Three 10 cm x 10 cm areas (100 cm^2) shall be wipe sampled from each room of the residually contaminated portion of the real property. The three samples shall be obtained from the non-porous floor, one wall, and the ceiling in each room.

iii. Three 10 cm x 10 cm areas (100 cm^2) shall be wipe sampled from different areas of the ventilation system.

iv. If there is a kitchen in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm^2) shall be wipe sampled from a

combination of the counter top, sink, or stove top, and from the floor in front of the stove top.

v. If there is a bathroom in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100cm^2) shall be wipe sampled from a combination of the counter top, sink, toilet, and ~~the~~ any shower~~/~~ or ~~bath tub~~ bathtub.

vi. If there are any cleaned appliances in the residually contaminated portion of the real property, one 10 cm x 10 cm area (100 cm^2) shall be wipe sampled from the exposed portion of each appliance. If multiple appliances are present, each wipe sample may be a composite of up to three 100 cm^2 areas on three separate appliances.

vii. After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be ~~properly~~ labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The sample shall be analyzed for methamphetamine, ~~ephedrine, pseudoephedrine,~~ LSD, ~~and/or~~ or ecstasy, depending upon the type of clandestine drug laboratory, using a GC/MS instrument, or an equivalent.

h. Methamphetamine, ecstasy, and LSD sampling and testing of porous materials and surfaces:

i. Microvacuum sampling shall be conducted using a 37 mm microvac cassette equipped with a glass fiber filter and backup pad, a short piece of tygon tubing (1 to 2 inches) with one end cut at a 45 degree angle to be used as the

"vacuum hose," and flexible tygon tubing to connect the pump to the filter. The person conducting the sampling shall connect the cassette with tygon tubing to a high volume sampling pump and calibrate the sampling pump, with a primary calibration standard, to a flow rate from 15 to 20 liters per minute.

ii. Select sampling areas of 10 cm x 10 cm (100 cm^2). In general, visibly soiled, dusty, or heavily used areas are good choices for sampling. Three 10 cm x 10 cm areas (100 cm^2) of carpet shall be microvacuum sampled from each room of the residually contaminated portion of the real property.

iii. If there are porous furniture, lamp shades, or other fixtures in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm^2) of these materials shall be microvacuum sampled from each room where present. If multiple porous furnishings are present, the three sampled areas shall be taken from three separate furnishings.

iv. If there are porous wall coverings, curtains, shades, or paintings in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm^2) of these materials shall be microvacuum sampled from each room where present. If multiple porous wall coverings are present, the three sampled areas shall be taken from three separate wall coverings.

v. If there are clothes, linens, or other porous materials in the residually contaminated portion of the real property, three 10 cm x 10 cm areas (100 cm^2) of these materials shall be microvacuum sampled from each room where present. If multiple other porous materials are present, the three sampled areas shall be taken from three separate items.

vi. Perform the first vacuuming, in one direction, from side to side, from top to bottom. Use a slow sweeping motion. During the sampling of softer materials, press the angled tubing nozzle firmly onto the sampling surface to agitate particles. Perform a second vacuuming, in one direction, from top to bottom from side to side across the entire area. Use a slow sweeping motion. During the sampling of softer materials, press the angled tubing nozzle firmly onto the sampling surface to agitate particles. The same filter may be used for up to three vacuum areas, or a new filter may be used for each area, and the three filters combined for analytical testing.

vii. After sampling, immediately turn off the pump and remove the filter cassette from the inlet and outlet tubing sections, replace the cassette plugs and place the sample into a labeled, resealable plastic bag.

viii. If additional samples are being collected, remove and discard the short vacuum nozzle tubing and place a clean vacuum nozzle on a new filter cassette to collect additional samples.

ix. After all sampling has been completed, the pump exterior should be decontaminated (wiped with a 10% bleach solution or an equivalent solution.) The collection tubing should also be discarded.

x. All sample cassette bags shall be labeled with at least the site or project identification number, date, time, and actual sample location. The samples shall be submitted to an analytical laboratory licensed in any state in the United States to perform GC/MS testing. The samples shall be analyzed for methamphetamine, LSD, and ecstasy, depending on the type of clandestine drug laboratory using a GC/MS instrument or an equivalent.

~~h.~~ i. VOC sampling and testing procedures:

i. A ~~properly calibrated~~ PID or FID calibrated to manufacturer's specifications capable of detecting VOCs shall be used for testing. The background concentration of VOCs shall be obtained by testing three exterior areas outside the limits of the residually contaminated portion of the real property and in areas with no known or suspected sources of VOCs. All VOC readings shall be recorded for each sample location.

ii. At least three locations in each room of the residually contaminated portion of the real property shall be tested for VOC readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading~~;~~ ~~and~~.

iii. All accessible plumbing traps shall be tested for VOCs by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.

~~i.~~ j. pH testing procedures:

i. Surface pH measurements shall be made using deionized water and pH test strips with a visual indication for a pH between ~~6~~ six and ~~8~~ eight. The pH reading shall be recorded for each sample location.

ii. For horizontal surfaces, deionized water shall be applied to the surface and allowed to stand for at least three minutes. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.

iii. For vertical surfaces, a Whatman 40 ashless filter paper or equivalent filter paper shall be wetted with deionized water and wiped over a 10 cm x 10 cm area at least five times in two perpendicular directions. The filter paper shall then be placed

into a clean sample container and covered with enough deionized water to cover the filter paper. The filter and water shall stand for at least three minutes prior to testing. The pH test strip shall then be placed in the water for a minimum of 30 seconds and read.

iv. pH testing shall be conducted on at least three locations in each room within the areas with visible contamination and within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property.

~~j.~~ k. Lead Sampling and Testing Procedures:

i. Unless there is ~~clear~~ evidence that lead was not used in the manufacturing of methamphetamine, LSD, or ecstasy at the clandestine drug laboratory, lead sampling shall be conducted as follows:

(1) Whatman 40 ashless filter paper or an equivalent filter paper shall be used for wipe sampling. The filter paper shall be wetted with analytical grade 3% nanograde nitric acid for the wipe sampling. The filter paper shall be blotted or wiped at least five times in two perpendicular directions within each sampling area. The same filter paper may be used for up to three wipe areas or a new filter paper may be used for each area and the three filter papers combined for analytical testing~~;~~.

(2) Three 10 cm x 10 cm areas (100 cm^2) shall be sampled in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property~~;~~, and

(3) After sampling, the wipe sample shall be placed in a new clean sample jar and sealed with a teflon-lined lid. The sample jar shall be ~~properly~~ labeled with at least the site or project identification number, date, time, and actual sample location. The sample jar shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory.

ii. The sample shall be analyzed for lead using EPA Method 6010B or an equivalent.

~~k.~~ l. Mercury Sampling and Testing Procedures:

i. A ~~properly~~ ~~calibrated~~ mercury vapor analyzer calibrated in accordance with manufacturer's specifications shall be used for evaluating the remediated areas for the presence of mercury. All mercury readings shall be recorded for each sample location.

ii. At least three locations in each room within the areas with visible contamination or within areas known to store or handle chemicals used for the clandestine drug laboratory in the residually contaminated portion of the real property shall be tested for mercury vapor readings. The testing equipment probe shall be held in the sample location for at least 30 seconds to obtain a reading.

iii. All accessible plumbing traps shall be tested for mercury by holding the testing equipment probe in the plumbing pipe above the trap for at least 60 seconds.

~~l.~~ m. Septic Tank Sampling and Testing Procedures:

i. The liquid in the septic tank shall be sampled with a new clean bailer or similar equipment.

ii. The liquid shall be decanted or poured with minimal turbulence into three new VOA vials ~~properly~~ prepared by the laboratory.

iii. The VOA vials shall be filled so that there are no air bubbles in the sealed container. If air bubbles are present, the vial must be emptied and refilled~~;~~.

(1) The sample vials shall be ~~properly~~ labeled with at least the date, time, and sample location~~;~~.

(2) The sample vials shall be placed in a cooler with ice until delivered to an Arizona-licensed analytical laboratory~~; and~~ .

(3) The sample shall be analyzed for acetone and methanol using EPA Method 8015B or an equivalent method.

D. Final report.

1. A final report shall be:

a. Prepared by the drug laboratory site remediation firm~~;~~,

b. Submitted to the owner of the remediated property and the ~~county health department of the county in which the property is located~~ Board within 30 days after completion of the remediation services, and

c. Retained by the firm for a minimum of three years.

2. The final report shall include the following information and documentation:

a. Complete identifying information of the real property, and the drug laboratory site remediation firm, ~~such as~~ including but not limited to street address, mailing address, owner of record, legal description, county tax or parcel identification number, or vehicle identification number if a mobile home or recreational vehicle, registration number of the drug laboratory site remediation firm, name and certification

number of the ~~on-site~~ onsite supervisor, and name and certification numbers of the ~~on-site~~ onsite workers ~~that~~ who performed the remediation services on the residually contaminated portion of the real property;

b. A summary of any pre-remediation sampling and testing and all post-remediation sampling and testing including the name and certification, registration, or license number of the Certified Industrial Hygienist, Certified Safety Professional, Arizona-registered geologist, or Arizona-registered engineer supervising the sampling and testing;

~~b~~ c. A summary of the remediation and demolition services completed on the residually contaminated portion of the real property, with any deviations from the approved work plan, including a list of the rooms, surfaces, materials, and articles cleaned, a list of the materials and articles removed and disposed of, and the procedures used to evaluate the plumbing, septic, sewer, and soil and to document the extent of the remediation or demolition services ~~and any deviations from the approved work plan~~;

~~c~~ d. Photographs documenting the remediation services and showing each of the sample locations, and a drawing or sketch of the residually contaminated areas that depict the sample locations;

~~d.~~ e. A copy of the sampling and testing results for VOCs and mercury, a copy of any asbestos sampling and testing results, a copy of the laboratory test results on all samples, and a copy of the chain-of-custody protocol documents for all samples from the residually contaminated portion of the real property;

~~e~~ f. A summary of the waste characterization work, and copies of any waste sampling and testing results~~,~~ and transportation and disposal documents, including but

not limited to, bills of lading, weight tickets, and manifests for all materials removed from the real property;

~~f.~~ g. A summary of the ~~on-site~~ onsite supervisor's observation and testing of the real property for evidence of burn areas, burn or trash pits, debris piles, or stained areas;

~~g.~~ h. A copy of any reports provided to the drug laboratory site remediation firm: ~~or~~

~~i.~~ A copy of any report prepared by the Certified Industrial Hygienist, Certified Safety Professional, ~~an~~ Arizona-registered geologist, ~~and an~~ or Arizona-registered engineer~~;~~, and

~~ii. and~~ a signed statement confirming that the sampling was conducted under direct supervision;

~~h~~ i. A statement that the residually contaminated portion of the real property has been remediated in accordance with R4-30-305 ~~these standards.~~ ; and

j. The total cost of any pre-remediation sampling and testing, as described in subsection (B)(9), the total cost of all post-remediation sampling and testing, as described in subsection (C) and the total cost of the remediation decontamination services as described in subsections (B)(9), (10), (12), (13), and (14);

3. Within 24 hours after the final report described in subsection (D) ~~(1) of this Article~~ has been prepared, the drug laboratory site remediation firm shall deliver, or send by certified mail, a copy of the complete and final report to ~~those individuals and entities identified in A.R.S. § 12-1000(A)(2),~~ the State Board of Technical Registration. The drug laboratory site remediation firm shall also deliver or send a separate document to all other

individuals and entities stating that the residually contaminated portion of the real property has been remediated pursuant to A.R.S. § 12-1000~~(D)~~ (E).

NOTICE OF FINAL RULEMAKING CERTIFICATE

1. **Agency name**: Board of Technical Registration

2. **Chapter heading**: Board of Technical Registration

3. **Code citation for the Chapter**: 4 A.A.C. 2

4. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, in numerical order**:

R4-30-103	Amend
R4-30-305	Amend

5. _____ _____

Signature of Agency Chief Executive Officer in ink **Date signed**

Ronald W. Dalrymple_____ Executive Director

Printed or typed name of signer **Title of signer**

6. **The rules contained in this package are true and correct as proposed.**

7. **No changes have been made to this rule since the Council approved it.**

AGENCY RECEIPT

NOTICE OF FINAL RULEMAKING

1. **Agency name**: Board of Technical Registration

2. **The Subchapters, if applicable; the Articles; the Parts, if applicable; and the Sections involved in the rulemaking, listed in alphabetical and numerical order:**

Article, Part, or Section Affected	**Rulemaking Action**
R4-30-103	Amend
R4-30-305	Amend